

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATION  
INTER-OFFICE MEMO**

**October 10, 2011**

**TO: Rosemary Booth Gallogly**

**DEPT: Department of Administration**

**FROM: Walter Craddock, Esq. Chairman**

**DEPT: Division of Motor Vehicles**

**SUBJECT: HEARING BOARD RESULTS**

**Please be advised of the following matters which were heard before the Board on Thursday, September 29, 2011. Board members: Walter Craddock, Esq., Dennis Gerstmeyer, Thomas Celona and Sgt. David Doucet of the Rhode Island State Police.**

**Also be advised the following people were present during the hearing: Marcy Coleman, Esq., Division of Legal Services.**

**Absent: James Botvin, Joseph Monteiro**

**MEETING OF SEPTEMBER 29, 2011 AT 9:00 AM AT THE  
DIVISION OF MOTOR VEHICLES –3RD. FLOOR, CONFERENCE  
ROOM, 600 NEW LONDON AVENUE, CRANSTON, RI 02920**

**1. REVIEW AND ACCEPTANCE OF THE MINUTES OF THE : JUNE  
10, 2011  
BOARD HEARING.**

**Minutes have been reviewed and accepted by the board**

**2. VICTORY LANE MOTOR SALES, INC d//b/a BOB'S VICTORY LANE  
AUTO SALES (Thomas J. Hamilton, Pres.)  
FIRST APPLICATION – CASE # KR-11-268  
TO DEAL IN USED MOTOR VEHICLES ONLY  
AT: 160 CLINTON STREET, WOONSOCKET, RI 02895**

**Decision: The Board has approved this application to include the  
standard issue of dealer plates subject to review of the line of credit  
and a second hand license from the city of Woonsocket being  
received by the Dealers License and Regulations Office.**

**3. WILLIAM A SCHNORR V DRIVE USA AUTO SALES (Michael J.  
Cuomo, Pres)  
SURETY BOND ACTION – CASE # DS-11-194**

**Decision: The Board has approved the request by William A. Schnorr  
to file a claim for \$2692.42 against the 2010 surety bond, number  
14706039 issued to Drive USA Auto Sales, by Western Surety.**

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**4. FRANCES PREW / Paul J. Dimaio, Esq. V. STAMAS AUTO & TRUCK  
CENTER, INC ( Leon Stamas, Pres)  
COMPLAINT / SHOW CAUSE HEARING – CASE # DS-11-123**

**This case has been settled prior to the hearing.**

**5. KYLE LANGLAIS V TASCA FORD ( Robert Tasca, Jr. Pres.)  
COMPLAINT / SHOW CAUSE HEARING - CASE # DS-11-193**

**Decision: The Board has ordered the dealership to repair the roof  
leak and to replace the headliner at no cost to the consumer.**

**6. DEALERS' LICENSE & REGULATIONS OFFICE V WESTMINSTER  
MOTORS LTD ( Mery Lopez, Pres.)**

## **SHOW CAUSE HEARING – CASE # KR-11-066**

**Decision: The Board has determined that the dealership is in violation of RIGL § 31-5-10(11), having indulged in unconscionable practices relating to business as a motor vehicle dealer. The Board has suspended the dealership's license number 269 to do business indefinitely. The dealership must turn in her license to do business and dealer plates, number 500 A-G, seven plates and any unused temporary plates to the Dealers License and Regulations office immediately. The dealership must supply copies of all bills of sales for the last two years of business to the Dealers License and Regulations Office for review. The bills of sales must be in numerical order. The dealership also must submit a business plan and they must prove they are in compliance with all requirements for paperwork such as bills of sales and required notifications such as employee changes to the Dealers License and Regulations Office.**

**The Board has requested that Mery Lopes supply a copy of her divorce settlement with her former husband, Victor Ramos to the Dealers License and Regulations Office.**

**Any and all fines have been tabled until the dealership appears before the board again.**

**7. DEALERS' LICENSE & REGULATIONS OFFICE V. AUTO EXCHANGE, INC (Victor Ramos, Pres,) SHOW CAUSE HEARING –**

**Sgt David Doucet has recused himself from this hearing.**

**Decision: The Board has determined that the dealership is in violation of RIGL § 31-5-10(11), having indulged in unconscionable practices relating to business as a motor vehicle dealer. The Board has suspended the dealership's license number 54 to do business indefinitely. The dealership must turn in his license to do business and dealer plates, number 336 A-J, ten plates and any unused temporary plates to the Dealers License and Regulations office immediately. The number of dealer plates issued to the dealership will be reevaluated. The dealership must supply copies of all bills of sales for the last two years of business to the**

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**Dealers License and Regulations Office for review. The bills of sales must be in numerical order. The dealership also must submit a business plan, list of employees and they must prove they are in compliance with all requirements for paperwork such as bills of sales and required notifications such as employee changes to the Dealers License and Regulations Office.**

**The Board has requested that Victor Ramos supply a copy of his divorce settlement to include property settlement with his former wife Mery Lopes to the Dealers License and Regulations Office.**

**Any and all fines have been tabled until the dealership appears before the board again.**

**8. DEALERS' LICENSE & REGULATIONS OFFICE V. AUTO EXCHANGE, INC (Victor Ramos, Pres)**

**SHOW CAUSE HEARING – CASE # KR-11-65**

**Decision: The Board has determined that the dealership is in violation of RIGL § 31-5-10(11), having indulged in unconscionable practices relating to business as a motor vehicle dealer. The Board has suspended the dealership's license number 54 to do business indefinitely. The dealership must turn in his license to do business and dealer plates, number 336 A-J, ten plates and any unused temporary plates to the Dealers License and Regulations office immediately. The number of dealer plates issued to the dealership will be reevaluated. The dealership must supply copies of all bills of sales for the last two years of business to the Dealers License and Regulations Office for review. The bills of sales must be in numerical order. The dealership also must submit a business plan, list of employees and they must prove they are in compliance with all requirements for paperwork such as bills of sale and required**

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**The Board has requested that Victor Ramos supply a copy of his divorce settlement to include property settlement with his former wife Mery Lopes to the Dealers License and Regulations Office.**

**Any and all fines have been tabled until the dealership appears before the board again.**

**9. DEALERS' LICENSE & REGULATIONS OFFICE V. AUTO EXCHANGE, INC (Victor Ramos, Pres) SHOW CAUSE HEARING – CASE # KR-11-156**

**Decision: The Board has determined that the dealership is in violation of RIGL § 31-5-10(11), having indulged in unconscionable practices relating to business as a motor vehicle dealer. The Board has suspended the dealership's license number 54 to do business indefinitely. The dealership must turn in his license to do business and dealer plates, number 336 A-J, ten plates and any unused temporary plates to the Dealers License and Regulations office immediately. The number of dealer plates issued to the dealership will be reevaluated. The dealership must supply copies of all bills of sales for the last two years of business to the Dealers License and Regulations Office for review. The bills of sales must be in numerical order. The**

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The Board has requested that Victor Ramos supply a copy of his divorce settlement to include property settlement with his former wife Mery Lopes to the Dealers License and Regulations Office.

Any and all fines have been tabled until the dealership appears before the board again.

**10. ISAURA PEÑA V. INDEPENDENT AUTO SALES ( Thomas Dunn, Owner.)**

**COMPLAINT / SHOW CAUSE – CASE # DS-11-175**

**CASE CAME BEFORE THE BOARD ON 09-15-11-**

**BROUGHT BACK FOR RECONSIDERATION OF THE FINAL SALES PRICE.**

The Board has ordered Independent Auto Sales must by the vehicle

from the consumer for \$12,257.02 within 30 days of the formal decision. This amount was adjusted from the amount awarded at the 9-15-2011 decision.

The Board has ordered Atlantic Autocenter LLC to purchase the vehicle from Independent Auto Sales for the amount of \$10,900.00.

The Board has determined the Atlantic Autocenter LLC is in violation of

RIGL § 31-5-11(10) and must pay a fine of \$500.00 to the Dealers' License and Regulations Office within thirty days of receiving the written decision.

#### **11. FOR DISCUSSION ONLY – PLATE ALLOCATION –KR-11**

The Board has tabled the decision until the next Dealer Board Hearing currently scheduled for October 13, 2011.

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**Walter Craddock, Jr. Esq. Chairman**

**Cc: John DiTomasso, Assistant Administrator, DMV**

**Michael Vispo, Manager DMV**

**Marcy Coleman, Esq., Division of Legal Services, DOA**  
**File**